

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
TRANSPORTATION, et al.,

Defendants.

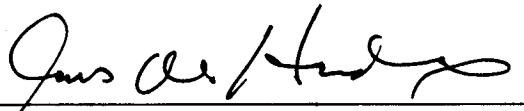
No. 5:23-CV-304-H

ORDER

On December 19, 2023, the plaintiffs filed their complaint (Dkt. No. 1), challenging the legality of the United States Department of Transportation's final administrative rule titled "National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure." Dkt. No. 1 at 1. That rule became effective on January 8, 2024, and, according to the complaint, "State DoTs must submit their initial declining CO2 targets for the [rule] no later than February 1, 2024." *Id.* at 3. Roughly three weeks have passed since the complaint was filed, and there have been no filings or updates.

Accordingly, by no later than January 16, 2024, the plaintiffs are ordered to provide a report addressing the status of this case. That report should include, at a minimum, the following: (1) the status of the plaintiffs' efforts to serve the defendants; (2) whether and, if applicable, to what extent the plaintiffs have had any contact with the defendants about the case; (3) whether the plaintiffs intend to request emergency relief; and (4) whether the plaintiffs believe the Court should issue a scheduling order in relation to any such request.

So ordered on January 8, 2024.



JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE